



CITY OF HOUSTON

Houston Public Works

Sylvester Turner

Mayor

Carol Ellinger Haddock, P.E.

Director

P.O. Box 1562

Houston, Texas 77251-1562

832-395-2500

www.publicworks.houstontx.gov

August 3, 2018

Dr. Juan Jose Sanchez, CEO
Southwest Key Programs
6002 Jain Lane
Austin, TX 78721

RE: Southwest Key Programs Properties

Dear Mr. Juan J. Sanchez,

This letter is in response to recent reports indicating that Southwest Key intends to open the facility located at 419 Emancipation next week for housing unaccompanied minors aged 3-17 separated from their parents and/or guardians while allegedly attempting to cross the US border without following proper procedure.

As previously communicated to your Regional Executive Director, Ms. Adriana Gutierrez and to your permit expeditor, Mrs. Lisa Brown, the Certificate of Occupancy for 419 Emancipation is invalid. In your Occupancy Inspection Application, you provided information that suggested the facility would satisfy the requirements of a Group "R" Occupancy. However, your subsequent letter dated June 27, 2018 clearly states that the occupants of the proposed facility will be unaccompanied minors aged 3-17. In light of this information, the correct occupancy designation for your facility would constitute a Group "I" Institutional occupancy and not a Group "R" occupancy as originally presented. Because the occupancy group approved on the original Certificate of Occupancy does not match the new intended use of the structure, the Certificate of Occupancy is invalid. To obtain a valid Certificate of Occupancy for the recently proposed use, please submit two complete sets of plans reflecting the correct occupancy classification and documenting code compliance with the appropriate code provisions of the current Houston Construction Code for the proposed change in use/occupancy to the Houston Permitting Center for plan review.

As you are likely aware, §104.6 of the Houston Amended International Building Code authorizes the Building Official or his representative to enter a property for the purposes of inspection in instances where the Building Official has reasonable cause to believe that there exists in a structure or upon a premise a condition which is contrary to or in violation of the code. In an effort to ensure that other facilities permitted by your company have not been occupied under similarly incorrect permits, on August 2, 2018 inspectors were sent to three of your facilities located in Houston. Those facilities are as follows:

- 7900 Mesa Dr., Houston, TX 77028
- 7407 North Freeway, Houston, TX 77076
- 1550 La Concha Ln., Houston, TX 77054

We were unable to complete the necessary inspections as the inspectors were denied access to anything but the lobby areas and offices. Please take note that §104.6 of the Houston Amended International Building Code gives the Building Official or his representatives the authority to enter a structure or premises at reasonable times to inspect or perform the duties imposed upon him by the code.

§104.6 further states that:

EXHIBIT 4

"If entry is refused, the *building official* shall have recourse to the remedies provided by law to secure entry. [...] [N]o owner or occupant or any other person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the *building official* for the purpose of inspection and examination pursuant to this code."

It is imperative that you provide our respective offices with a time within the next twenty-four (24) hours that each of the facilities will be available for inspection. Please contact our offices as soon as possible at the numbers listed below for further information.

Thank you for your prompt attention to this matter,



Mark Savasta, CFM, CBO, MCP
Houston Building Official
Houston Permitting Center
(832) 394-9555



Samuel Peña
Fire Chief
Houston Fire Department
(832) 394-6702